

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Special Permit #384E

DATE: March 19, 2003

SCHEDULED PLANNING COMMISSION MEETING:

DATE: April 2, 2003

PROPOSAL: To amend the Special Permit 384C to allow the addition of a 4-story wing to provide a new Rehabilitation Center for both in-patient and out-patient care, and 14 new private nursing beds. As part of this project, they will demolish the existing administration building.

LAND AREA: Tabitha's campus covers approximately 358,202 square feet, or 8.22 acres, more or less.

CONCLUSION: Insufficient data is available to decide if this application conforms to the Zoning Ordinance.

<u>RECOMMENDATION:</u>	Place on Pending
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 22 I.T., located in the northwest quarter of Section 29, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska

LOCATION: 47th and Randolph Streets

APPLICANT: Tabitha, Inc.
4720 Randolph Street
Lincoln, NE 68510
483.7617

OWNER: Same as Applicant

<u>CONTACT:</u>	Tabitha, Inc. Joe Hakenkamp 4720 Randolph Street Lincoln, NE 68510 486.8500	Davis Design Matt Metcalf 211 North 14 th Street Lincoln, NE 68508 476.9700
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EXISTING ZONING: R-4 Residential and B-1 Local Business

EXISTING LAND USE: Health Care Facility

SURROUNDING LAND USE AND ZONING:

North:	Single-Family residential	R-2 and R-4 Residential
South:	Multiple-Family residential	R-4 Residential
	Doctors offices	B-1 Local Business
East:	Single-Family residential	R-2 Residential
	Gas station	B-1 Local Business
West:	Single-Family residential	R-4 Residential

HISTORY:

Jul 1997	Board of Zoning Appeals #2187 approved a height variance from 35' to 40'-3" for an enclosed rooftop patio over the north addition.
Sep 1992	Administrative Amendment #92059 to Special Permit 384D approved to revise landscape and drainage plans.
Jan 1992	Administrative Amendment #91080 to Special Permit 384D approved to change the building envelope to allow the addition of the north wing.
Jul 1991	Administrative Amendment #91049 to Special Permit 384 approved to allow the construction of a storage garage.
May 1990	Special Permit 384D approved to expand the existing health care facility with a north addition and provide additional parking stalls.
Jun 1990	Administrative Amendment #90027 to Special Permit 384C approved to revise the landscape plan.
Nov 1989	Administrative Amendment #89073 to Special Permit 384C approved to provide additional parking stalls.
Dec 1988	Special Permit 384C approved to amend the development and occupancy permit for the paving of certain parking lots.
Sep 1987	Administrative Amendment #562 to Special Permit 384B approved to revise the parking lot layout.
Dec 1986	Special Permit 384B approved for additional parking and revised vehicular circulation within the site.

- Nov 1985 Administrative Amendment #485 to Special Permit 384 approved to allow the construction of a boiler room addition
- Jul 1982 Special Permit 384A approved for an on-site day-care facility for employee's children.
- May 1979 Before the zoning update, this property was zoned B Two family Residential and G Local Business. After the update, the zoning was R-4 Residential and B-1 Local Business.
- Jul 1969 Special Permit 384 approved by Resolution A-57520 for the enlargement of a Health Care Facility.

UTILITIES: Public utilities are available.

TRAFFIC ANALYSIS: The Comprehensive Plan identifies Randolph and 48th Streets as Minor Arterials now and in the future. (E49, F103)

AESTHETIC CONSIDERATIONS:

This permit will allow the addition of a 4-story wing onto the east side of the existing health care facility. The proposed plans show the height of the addition will not exceed the maximum height of the existing structure. Along with this construction will be the demolition of the existing administration building, which faces South 48th Street. The new addition will be approximately twice the distance from the property line as the existing administration building.

ANALYSIS:

1. This is an application by a health care facility to allow the addition of a 4-story wing to provide a new Rehabilitation Center for both in-patient and out-patient care, and 14 new private nursing beds. As part of this project, they will demolish the existing administration building.
2. LMC §27.67.040 (d)(1) requires one parking space per three beds for nursing care facilities. The proposed plan shows there are 195 existing beds and the addition will provide 14 new beds, for a total of 209 beds. Therefore, the zoning ordinance requires 70 parking stalls. The proposed plan shows they will provide 294 parking stalls.
3. LMC §27.63.080(b) Yard and Area Regulations require the following:
 - 3.1 (1): Buildings will not occupy more than 35% of the total land area. The proposed plans show the existing and new facilities will cover a combined 67,756 square feet, or 18.9% of the total land area within this permit.

- 3.2 (2): Yards abutting a nonresidential district will be the same as those required in said abutting district. This facility abuts a B-1 Local Business district on one side. The B-1 district requires a 20' front yard setback. The proposed plan shows a 25' setback along this abutting front yard.
- 3.3 (3): Yards abutting or located partially or wholly within a residential district will be the greater of 10' or the required setback in the abutting district. In addition, they will provide one additional foot of setback between the yard line and the wall nearest the yard line for each foot of building height exceeding 20'. The required setback for the R-4 district is 25'. Based on a permitted height of 35', the wall of the structure nearest the yard line should be setback another 15'. The proposed plans show the required front yard setback of 25' around the property. In addition, the wall nearest South 48th Street is approximately 75' from the front yard line. The walls facing the other three streets exceed the required additional setback.
- 3.4 They will landscape required front yards and side yards. The proposed plans show landscaping in all four front yards.
4. The height limit for the R-4 zoning district is 35'. The drawing of the proposed addition shows the elevation of the addition is 41'-6" above the adjacent grade.
5. Pursuant to LMC §§27.03.130 and 27.03.290(c), the grade is established by finding the average of the highest and lowest elevations measured 5' from the exterior walls. If the highest point is less than 10' above grade, the building height is measured from the highest point. If the highest point is 10' or higher than grade, the building height is measured from grade.
6. The drawings submitted by Applicant do not contain enough data to establish either grade elevation or the elevation of the new addition. Applicant must submit additional information so Planning Department can determine if the new addition meets the 35' height limit of the zoning ordinance.
7. Pursuant to LMC §27.63.080, the City Council does not have the authority to exceed the district height for a health care facility. Therefore, if Applicant desires to maintain the height shown on the proposed drawings, a variance from the Board of Zoning Appeals is required.
8. The City Engineers Office has no objection to this amendment.
9. The Public Works Department has no objection to this amendment.

10. LES, Alltel, and Time Warner do not require any additional easements as part of this amendment.
11. The Fire Department has no objection to this amendment.
12. The Building and Safety Department/Fire Prevention has no objection to this amendment.
13. The Police Department has no objection to this amendment.
14. The Parks and Recreation Department requests that Applicant provide a landscape and plant legend for all landscaping and street trees.
15. Emergency Communications has no objection to this amendment.
16. The Lincoln/Lancaster County Health Department (LLCHD) has several comments. See the attached LLCHD memo for contact information for compliance with these requirements:
 - 16.1 Before demolition or renovation of any existing commercial structure, an asbestos survey must be completed. Ten or more working days before demolition, a notification of demolition must be provided to LLCHD.
 - 16.2 All wind and water erosion must be controlled during construction.
 - 16.3 During the construction process, the land owner is responsible for controlling off-site dust emissions according to Lincoln/Lancaster County Air pollution Regulations and Standards Art. 2 §32.
17. The Building and Safety Department has not commented on this amendment.
18. The school district has not commented on this amendment.
19. The post office has not commented on this amendment.
20. Since the height of the addition cannot be determined, Planning Department requests this item be placed on pending until either Applicant shows the height is within requirements, or Applicant obtains a variance from the Board of Zoning Appeals. However, if Applicant submits additional information that demonstrates the proposed addition does not exceed the maximum height of the district as measured pursuant to LMC §27.03.130, then approval should be subject to the following conditions.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Submit certified information from an abstractor or an attorney showing the current record owner(s) of all land within the limits of this application.
 - 1.2 Revise the proposed site plan to show a Landscaping Schedule and landscaping that conforms to the City Design Standards.
2. This approval permits an addition to a nursing home facility to provide for a new Rehabilitation Center for both in-patient and out-patient care, 14 new private nursing beds, and the demolition of the existing administration building.

General:

3. Before demolition or renovation of any existing commercial structure, an asbestos survey must be completed. Ten or more working days before demolition, notification of demolition must be provided to LLCHD.
4. All wind and water erosion must be controlled during construction.
5. During the construction process, the land owner is responsible for controlling off-site dust emissions according to Lincoln/Lancaster County Air pollution Regulations and Standards Art. 2 §32.
6. Before receiving building permits:
 - 6.1 The construction plans shall comply with the approved plans.
 - 6.2 The operation and the premises are to meet applicable local and state licensing requirements, including compliance with health codes.

Standard:

7. The following conditions are applicable to all requests:

- 7.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 7.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 7.3 This resolution's terms, conditions, and requirements bind and obligate the Applicant, its successors and assigns.
 - 7.4 The Applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
8. The site plan as approved with this Resolution voids and supersedes all previously approved site plans, however all Resolutions approving previous permits remain in force unless specifically amended by this Resolution.

Prepared by:

Greg Czaplewski
Planner



Special Permit #384E
S. 48th & 'J' St.
Tabitha Early Childhood/Adult Day Care

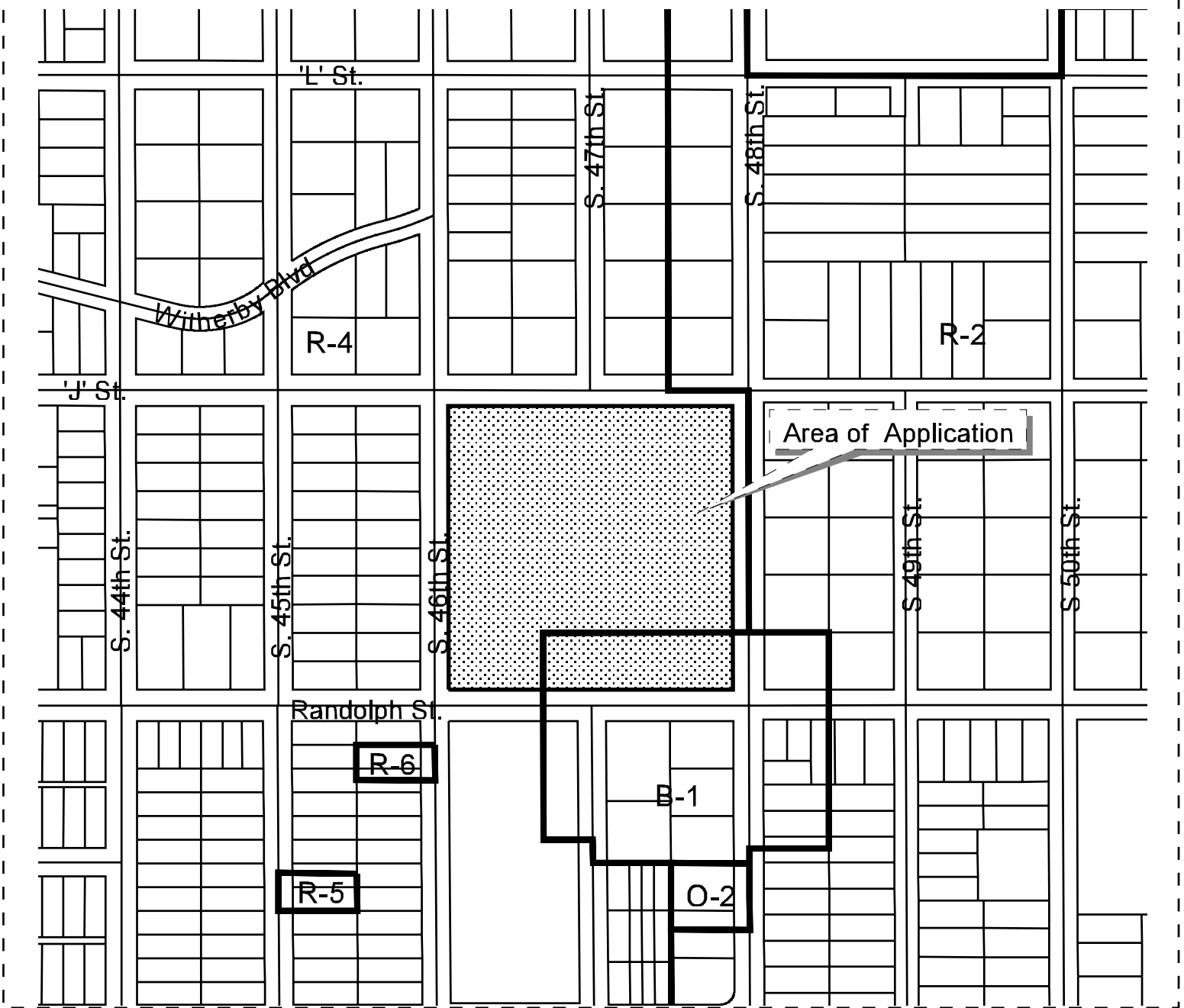


Sheet _____ of _____

Date: _____

Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.

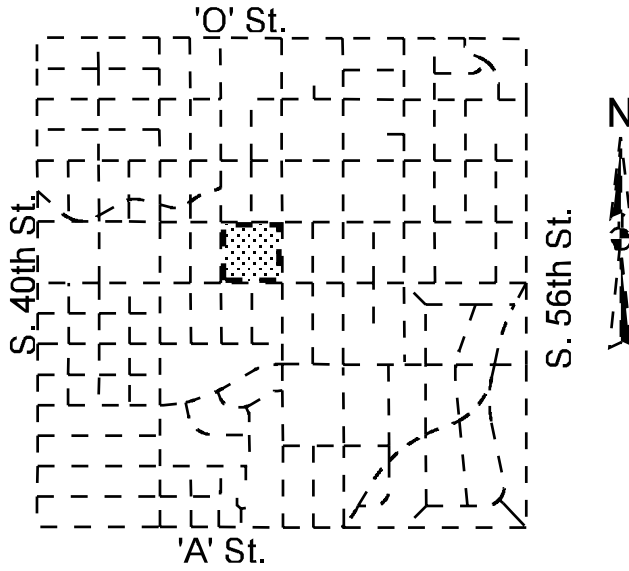
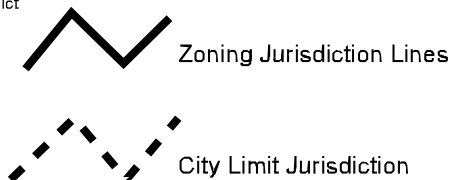


Special Permit #384E
S. 48th & 'J' St.
Tabitha Early Childhood/Adult Day Care

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 29 T10N R7E



RE: *Tabitha Health Care Services*
New Addition

Attachment I:

The purpose of this application is to allow Tabitha, Inc. to construct a new Rehabilitation Center for both in-patients and out-patients and to add 14 new private nursing beds on the third floor of the new addition. (Note: Due to head room limitations, there will be no second level constructed. The first floor will be the equivalent of two stories in height). This project also includes the demolition of the existing Emma Collins Administration Building at the east side of the property and removal of the existing outdoor "open air" gazebo.

This new project is an extension of existing services currently provided by Tabitha and will greatly increase their rehabilitation services offered to the community.

